

**BEFORE  
THE PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA**

**DOCKET NO. 2020-294-C**

Application of	)	
	)	
<b>Uniti National LLC</b>	)	<b>DIRECT TESTIMONY OF JEFFREY R.</b>
	)	<b>STRENKOWSKI</b>
for a Certificate of Public Convenience	)	
and Necessity to Provide Competing	)	
Local Exchange and Interexchange	)	
Telecommunications Services in the	)	
State of South Carolina	)	

1    **Q.     PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**

2    **A.**     My name is Jeffrey R. Strenkowski. My business address is 10802 Executive Center Drive,  
3             Suite 300, Little Rock, Arkansas, 72211.

4    **Q.     BY WHOM AND IN WHAT CAPACITY ARE YOU EMPLOYED?**

5    **A.**     I am Vice President and Deputy General Counsel of Governmental Affairs at Uniti Group  
6             Inc. (“Uniti Group”), which is the corporate parent of Uniti National LLC (“Uniti  
7             National”). I am authorized to provide this testimony on behalf of Uniti Group and its  
8             subsidiaries, including Uniti National.

9    **Q.     PLEASE BRIEFLY OUTLINE YOUR BACKGROUND.**

10   **A.**     I joined Uniti Group in May 2017, and have the responsibility for managing the regulatory  
11             and governmental affairs for the company and its subsidiaries, including Uniti National.  
12             Prior to joining Uniti Group, I served as the company’s outside counsel for  
13             telecommunications regulatory affairs while employed as an attorney in the

1 Telecommunications, Media and Technology practice group at Morgan Lewis & Bockius  
2 LLP in Washington, DC. In that capacity, I represented U.S. and foreign communications  
3 and technology companies, including Uniti Group and its subsidiaries, on a broad range of  
4 corporate, financial and regulatory matters. I advised carriers, Internet content providers,  
5 application developers, and other clients on a wide range of state, federal and international  
6 regulatory, privacy, data security, data retention, and consumer protection matters. I  
7 received my Bachelor of Arts degree from the University of Maryland in 1999, and my law  
8 degree from American University, Washington College of Law in 2002. I have been  
9 actively employed in private practice on a full-time basis since receiving my law degree,  
10 until moving to Uniti Group in my current position in May 2017.

11 **Q. ON WHOSE BEHALF ARE YOU TESTIFYING HERE TODAY AND WHAT IS**  
12 **THE PURPOSE OF YOUR TESTIMONY?**

13 **A.** I am testifying on behalf of Uniti National. Through its Application, Uniti National seeks  
14 authority to provide facilities-based and resold local exchange (including exchange access)  
15 and interexchange telecommunications services throughout the State of South Carolina.  
16 As such, the purpose of my testimony is to present evidence describing the technical,  
17 managerial and financial fitness of Uniti National to provide these services within the State  
18 of South Carolina.

19 **Q. ARE ALL THE STATEMENTS IN THE APPLICATION CORRECT AND TRUE**  
20 **TO THE BEST OF YOUR KNOWLEDGE, INFORMATION, AND BELIEF?**

21 **A.** Yes.

22 **Q. DO YOU WISH TO INCORPORATE BY REFERENCE ANY DOCUMENTS INTO**  
23 **THIS TESTIMONY?**

1 A. Yes. I wish to incorporate, by reference, Uniti National's underlying Application filed in  
2 this proceeding and its associated exhibits.

3 **Q. PLEASE GIVE A BRIEF OVERVIEW OF UNITI GROUP AND UNITI**  
4 **NATIONAL.**

5 A. Uniti Group is a Maryland corporation (NASDAQ: UNIT) headquartered in Little Rock,  
6 Arkansas. Uniti Group is a publicly traded real estate investment trust that engages in the  
7 acquisition and construction of infrastructure utilized by the communications industry.  
8 Uniti Group does not provide telecommunications services in its own right. It owns and  
9 operates a number of licensed telecommunications providers in the District of Columbia  
10 and a number of states.

11 Uniti Group is the parent company of Uniti National, a Delaware limited liability company  
12 formed on May 7, 2020. A copy of its formation documents and evidence of name changes  
13 was attached to the Application as Exhibit A, and a copy of its Certificate of Authority to  
14 Transact Business as a foreign corporation in South Carolina was attached as Exhibit B to  
15 the Application.

16 Uniti National is currently authorized to provide telecommunications services in Colorado,  
17 Florida, Georgia, Kentucky, and New Jersey. In addition to South Carolina, Uniti National  
18 is in the process of seeking authorization or planning to seek authorization to provide  
19 intrastate telecommunications services in the following jurisdictions: Alabama, Delaware,  
20 Maryland, Massachusetts, New York, North Carolina, South Dakota, and Tennessee.

21 The following affiliates of Uniti National hold authority to provide telecommunications  
22 services in South Carolina: Southern Light is authorized to provide resold and facilities  
23 based local exchange and interexchange services in South Carolina pursuant to

1 authorization granted in Docket No. 2017-294-C; and Uniti Fiber LLC is authorized to  
2 provide facilities based and resold local exchange and interexchange telecommunications  
3 services in South Carolina pursuant to authorization granted in Docket No. 2017-147-C.

4 **Q. WHAT IS THE PURPOSE OF THE APPLICATION?**

5 **A.** The Application was filed to request a Certificate of Public Convenience and Necessity  
6 (“CPCN”) to provide facilities-based and resold local exchange (including exchange  
7 access) and interexchange telecommunications services throughout the State of South  
8 Carolina.

9 **Q. PLEASE DESCRIBE THE SERVICES UNITI NATIONAL PROPOSES TO**  
10 **OFFER IN SOUTH CAROLINA.**

11 **A.** Uniti National seeks authority to provide facilities-based and resold local exchange,  
12 exchange access, and interexchange telecommunications services. Uniti National has  
13 recently acquired certain fiber optic assets (telephone plant, line or system) from certain of  
14 Windstream Holdings Inc.’s competitive local exchange carrier subsidiaries (collectively,  
15 “Windstream”) and has granted a 20-year indefeasible right of use (“IRU”) to Windstream  
16 for those fiber assets that Windstream uses to provide services. Uniti National will have  
17 access to lease, sell or otherwise utilize those fiber assets that are not being granted back  
18 to Windstream. Uniti National may sublease those facilities to one or more of its affiliates  
19 that have operating authority to do business in South Carolina, or may itself provision  
20 services to business customers, other carriers, or other third parties. Using the spare  
21 capacity on fiber assets not granted back to Windstream via the IRU, Uniti National may  
22 itself provision services to business customers, other carriers, or other third parties. Uniti  
23 National does not currently anticipate providing any service besides private line services

1 (i.e., high-capacity backhaul Ethernet), but may provide other arrangements such as dark  
2 fiber, fiber spectrum leases, or other high-capacity services.

3 Uniti National will primarily serve enterprise and carrier customers. Uniti National does  
4 not have plans to provide retail switched voice services (including dial-tone) to end-user  
5 customers in South Carolina. In the event that Uniti National decides to expand its services  
6 to include voice services as dictated by marketplace conditions, Uniti National will seek  
7 such authority at that time. Uniti National will comply with all applicable Commission  
8 rules, regulations and standards, and will provide safe, reliable and high-quality  
9 telecommunications services in South Carolina.

10 **Q. DOES UNITI NATIONAL INTEND TO OFFER PREPAID DEBIT CARD**  
11 **SERVICES OR RETAIL RESIDENTIAL LOCAL EXCHANGE SERVICES IN**  
12 **SOUTH CAROLINA?**

13 A. Not at this time. Uniti National is aware of the Commission's \$5,000 bond or certificate of  
14 deposit requirement associated with prepaid debit card services, as well as the bond  
15 requirements of S.C. Code Ann. Regs. 103-607, and will file any such required instrument  
16 with the Commission (or seek an appropriate waiver) should Uniti National decide to offer  
17 those services in the future.

18 **Q. HOW WILL UNITI NATIONAL BILL FOR ITS SERVICES?**

19 A. Uniti National's customers will be billed according to individual case basis contracts  
20 negotiated with each customer.

1 **Q. HOW ARE TROUBLE REPORTS AND CUSTOMER COMPLAINTS HANDLED?**

2 A. To ensure top-quality service, Uniti National will primarily rely on its affiliate, Uniti Fiber  
3 LLC, to perform network and equipment maintenance necessary to ensure compliance with  
4 any quality of service requirements and will comply with all applicable Commission rules,  
5 regulations and standards and will provide safe, reliable and high-quality  
6 telecommunications services within South Carolina. Customers with complaints inquiries  
7 should contact the toll free number 877-652-2321. Customers may also contact the  
8 company by email at [NOC@uniti.com](mailto:NOC@uniti.com), or by mail to: Network Operations Center, 107 St.  
9 Francis Street, Ste. 1800, Mobile, AL 36602.

10 **Q. DOES UNITI NATIONAL POSSESS SUFFICIENT TECHNICAL AND**  
11 **MANAGERIAL RESOURCES TO PROVIDE THE SERVICES FOR WHICH IT**  
12 **REQUESTS AUTHORITY?**

13 A. Yes. Uniti National possesses sufficient technical and managerial resources to provide the  
14 services for which it requests authority. Uniti National will be managed by the management  
15 team of its ultimate parent company Uniti Group Inc. that will provide extensive  
16 telecommunications business, technical, and managerial expertise to Uniti National.  
17 Biographies of key management personnel of Uniti National, who are responsible for the  
18 Uniti National's operations, are provided as Exhibit D of the Application. As noted in the  
19 biographies, Uniti National's operations will be overseen by a well-qualified management  
20 team with substantial telecommunications experience and technical expertise.

21 **Q. DOES UNITI NATIONAL POSSESS SUFFICIENT FINANCIAL RESOURCES TO**  
22 **PROVIDE THE PROPOSED SERVICES FOR WHICH IT REQUESTS**  
23 **AUTHORITY?**

1    **A.**     Yes, Uniti National possesses sufficient financial resources to provide the proposed  
2            services. In support of the Company's financial ability to provide the proposed services  
3            and given that Uniti National does not maintain financial statements separate from the  
4            consolidated financial statements of Uniti National's parent company, Uniti Group Inc.,  
5            Uniti National will rely on the financial statements of Uniti Group Inc. to demonstrate  
6            Uniti National's financial qualification to operate within the State of South Carolina.  
7            Uniti Group's 10-K is available at:

8            [https://www.sec.gov/Archives/edgar/data/0001620280/000156459020010520/unit-](https://www.sec.gov/Archives/edgar/data/0001620280/000156459020010520/unit-10k_20191231.htm)  
9            [10k\\_20191231.htm](https://www.sec.gov/Archives/edgar/data/0001620280/000156459020010520/unit-10k_20191231.htm). The financial statements demonstrate that Uniti National has the  
10           financial resources necessary to provide services in South Carolina.

11    **Q.     WILL GRANTING THE APPLICATION SERVE THE PUBLIC INTEREST?**

12    **A.**     Yes. The public interest of the citizens of South Carolina will be served by granting the  
13            Application. First, Uniti National will increase competition in the provision of  
14            telecommunications services in South Carolina. In addition to driving prices closer to costs,  
15            thereby ensuring just and reasonable rates, competition also promotes efficiency in the  
16            delivery of services and in the development of new services. These benefits work to  
17            maximize the public interest by providing continuing incentives for carriers to reduce costs  
18            while, simultaneously, promoting the availability of potentially desirable services. Uniti  
19            National's operations will be overseen by a well-qualified management team with  
20            substantial telecommunications experience and technical expertise. Uniti National will  
21            provide customers high quality, cost effective telecommunications services, with an  
22            emphasis on customer service.

1 **Q. WILL THE SERVICE PROVIDED BY UNITI NATIONAL MEET ALL SERVICE**  
2 **STANDARDS THAT THE COMMISSION MAY ADOPT?**

3 **A.** Yes, it will.

4 **Q. WILL THE PROVISION OF SERVICE BY UNITI NATIONAL ADVERSELY**  
5 **IMPACT THE AVAILABILITY OF AFFORDABLE LOCAL EXCHANGE**  
6 **SERVICE IN SOUTH CAROLINA?**

7 **A.** No. The service provided by Uniti National will not adversely impact the availability of  
8 affordable local exchange service in South Carolina.

9 **Q. WILL UNITI NATIONAL PARTICIPATE IN THE SUPPORT OF UNIVERSALLY**  
10 **AVAILABLE TELECOMMUNICATIONS SERVICE AT AFFORDABLE RATES?**

11 **A.** Yes. To the extent that Uniti National provides services subject to universal service and  
12 related requirements in South Carolina, it will participate in the support of universally  
13 available telecommunications services at affordable rates.

14 **Q. IS UNITI NATIONAL REQUESTING FLEXIBLE REGULATION AND**  
15 **ALTERNATIVE TREATMENT OF ITS LOCAL EXCHANGE SERVICE**  
16 **OFFERINGS?**

17 **A.** Yes. Uniti National respectfully requests that its local service offerings be regulated in  
18 accordance with procedures outlined in Order No. 98-165 in Docket No. 97-467-C. Also,  
19 Uniti National requests that all of its interexchange business service offerings be regulated  
20 pursuant to the procedures described and set out in Commission Order Nos. 95-1734 and  
21 96-55 in Docket No. 95-661-C, as modified by Commission Order No. 2001-997 in  
22 Docket No. 2000-407-C. It is Uniti National's intent by this request to have its business  
23 services regulated in the same manner as this Commission has permitted for AT&T



1 Communications of the Southern States, Inc. (“AT&T”). Specifically, Uniti National  
2 requests that the Commission: (a) remove the maximum rate tariff requirements for its  
3 business services, private line, and customer network-type offerings; (b) presume that the  
4 tariff filings for these uncapped services be valid upon filing (subject to any instance  
5 where the Commission institutes an investigation of a particular filing within seven (7)  
6 days, in which case the tariff filing would be suspended until further order of the  
7 Commission); and (c) grant Uniti National the same treatment as AT&T in connection  
8 with any future relaxation of the Commission's reporting requirements.

9 **Q. DOES UNITI NATIONAL SEEK ANY WAIVERS IN CONNECTION WITH THIS**  
10 **APPLICATION?**

11 **A.** Yes. Uniti National requests that, pursuant to 10 S.C. Reg. 103-601(3), the Commission  
12 waive the following Commission Rules: (1) 10 S.C. Reg. 10-3-610: Uniti National requests  
13 a waiver of the requirement in Rule 103-610 that all records required under the rules be  
14 kept within the State. Uniti National maintains its records at its principal offices in its  
15 operational headquarters at 10802 Executive Center Drive, Benton Bldg., Suite 300, Little  
16 Rock, AR 72211. As such, maintaining a separate set of books and records in South  
17 Carolina for Uniti National’s South Carolina operations would be unduly costly and  
18 burdensome. Uniti National states that all such books and records shall be provided to the  
19 Commission Staff or the Office of Regulatory Staff (“ORS”) in a timely manner upon  
20 request, and will also make those books and records available to the Commission Staff or  
21 the ORS; and (2) 10 S.C. Reg. 103-611: Uniti National requests that it be exempt from any  
22 record-keeping rules or regulations that might require a carrier to maintain its financial  
23 records in conformance with the Uniform System of Accounts (“USOA”). The USOA was

1 developed by the FCC as a means of regulating telecommunications companies subject to  
2 rate base regulation. Uniti National will not be subject to rate base regulation and therefore  
3 should not be subject to USOA requirements. Uniti National maintains its books in  
4 accordance with Generally Accepted Accounting Principles (“GAAP”). In addition to the  
5 above requested waivers, Uniti National reserves the right to seek any regulatory waivers  
6 which may be required for Uniti National to compete effectively in the South Carolina  
7 telecommunications market.

8 **Q. WHAT ACTION ARE YOU ASKING THE COMMISSION TO TAKE IN REGARD**  
9 **TO THE APPLICATION?**

10 **A.** Uniti National respectfully requests that the Commission expeditiously grant this  
11 Application for the authority to provide facilities-based and resold local exchange  
12 (including exchange access) and interexchange telecommunications services throughout  
13 the State of South Carolina and grant Uniti National’s request for alternative and flexible  
14 regulation and the waivers described herein and in the Application in this matter, including  
15 Exhibits, which are incorporated herein by reference.

16 **Q. DOES THIS CONCLUDE YOUR TESTIMONY?**

17 **A.** Yes, it does.